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03/22/2005

**MICHAEL BEST & FRIEDRICH, LLP**  
**100 E WISCONSIN AVENUE**  
**MILWAUKEE, WI 53202**

06/23/2005 FFRNIA3 00000015 10635056

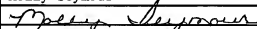
01 FC:1501 1400.00 OP  
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Molly Seymour

(Depositor's name)



(Signature)

June 20, 2005

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,056	08/06/2003	Billy Brandenburg	039189-9059-00	1338

TITLE OF INVENTION: GENERATOR INCLUDING VERTICALLY SHAFTED ENGINE

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	06/22/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
PONOMARENKO, NICHOLAS	2834	290-00100A

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

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2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or names OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Michael Best & Friedrich, LLP

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Briggs & Stratton Power Products Group, LLC

Jefferson, Wisconsin

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies \_\_\_\_\_

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☒ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment Deposit Account Number 13-3080 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other part interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Casimir F. Laska

Date

June 20, 2005

Typed or printed name

Casimir F. Laska

Registration No.

30,862

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 2834

In re

Patent Application of

Billy Brandenburg, et al.

Application No. 10/635,056

Confirmation No. 1338

Filed: August 6, 2003

Examiner: Nicholas Ponomarenko

"GENERATOR INCLUDING VERTICALLY  
SHAFTED ENGINE"

I, Molly Seymour, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

*Molly Seymour*  
Signature

*June 20, 2005*  
Date of Signature

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**  
**UNDER 37 C.F.R. 1.104(E)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication responds to the Examiner's statement of the reasons for allowance of the claims, contained within the Notice of Allowance and Fee(s) Due mailed March 22, 2005.

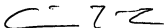
Applicants wish to comment on the Examiner's statements regarding the reasons for allowance of claims 28-32 by pointing out that the reasons set forth by the Examiner refer only to certain features of independent claim 28 and are not the only reasons that claims 28-32 are allowable. Claim 28 may include additional patentable features or combinations of features not mentioned by the Examiner or taught or suggested by the prior art. Additionally, each of

dependent claims 29-32 may include additional patentable features or combinations of features not mentioned by the Examiner.

In addition, the Examiner states in his statement of reasons for allowance that the invention relates to a portable power generator set, and more specifically, to an arrangement of the components of a portable generator set. In the Examiner's restriction requirement, the Examiner also characterizes claims 28-32 as being drawn to a portable generator set positioned on a stationary platform. However, the invention defined by Applicants' claims is not limited to a portable power generator set, as there is no limitation to a portable generator set in claims 28-32. Thus, Applicants respectfully submit that the invention as claimed is drawn to a generator positionable on a support surface and that claims 28-32 may be patentable for that reason, as well as for other reasons.

As such, claims 28-32 may be patentable for reasons not mentioned by the Examiner as well as for those reasons mentioned by the Examiner.

Respectfully submitted,



Casimir F. Laska  
Reg. No. 30,862

Docket No.: 039189-9059-00  
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